

DEBEVOISE & PLIMPTON LLP

919 Third Avenue
New York, NY 10022
Tel 212 909 6000
Fax 212 909 6836
www.debevoise.com

MEMO ENDORSED

May 7, 2014

Judge Paul A. Engelmayer
U.S. District Court for the Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square, Room 2201
New York, NY 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/7/14

Re: Doe v. Annucci et al. (14-cv-2953)

Dear Judge Engelmayer:

I write pursuant to Your Honor's direction on April 25, 2014 that the parties confer and propose a schedule for the submission of Plaintiffs' reply memorandum and for the next status conference before the Court.

Plaintiffs propose to submit their reply memorandum on Friday, May 9. Defendants have no objection to this proposed date. In accordance with Your Honor's Individual Rules, Plaintiffs respectfully request leave to file a 15-page reply, so that we may adequately address the numerous issues raised in Defendants' Opposition Memorandum, particularly as they relate to whether this case is appropriately before Your Honor. Defendants have no objection to this request.

Despite thorough discussions, the parties do not agree as to the timing of the next status conference before Your Honor. Plaintiffs respectfully request that the Court continue to proceed on an expedited basis to resolve the pending motions for a temporary restraining order and a preliminary injunction. Plaintiffs therefore request that the Court schedule a status conference for Thursday, May 15, or as soon thereafter as is convenient to the Court. Defendants have stated that they object to having any status conference prior to June 6, which, following the Case Conference with Defendant Regional Director William Hogan that occurred on May 5, 2014, is the date by which a decision is due under the Parental Contact Protocol.

Given the urgent nature of the relief sought by the Doe family, a delay of a preliminary status conference pending Defendant Hogan's determination, even if timely issued, is unwarranted. Moreover, since the harms being suffered by the Doe family are

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deprivations of their fundamental constitutional rights, the Court is under no obligation to delay its proceedings pending the outcome of the DOCCS proceeding.

Respectfully submitted,



Blair R. Albom

CC: Lauren Stephens-Davidowitz
Thomas M. Nosewicz
Michael Keane

Plaintiff is directed to submit a reply memorandum, as proposed, by Friday, May 9, 2014. Plaintiff's request for leave to file a 15-page reply is granted. The next conference in this case is set for Wednesday, May 14, 2014 at 10 a.m.

5/7/14

SO ORDERED:



HON. PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE